



1 For AF  
AMENDMENT AFTER FINAL

CASE RE/3 -32620A US-PCT

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*Jan 13, 2009*  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1617

Steiger, Michel

Examiner: Karol, Jody Lynn

APPLICATION NO: 10/524735

FILED: February 16, 2005

FOR: Topical Emulsion-gel Composition Comprising Diclofenac Sodium

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL

Sir:

This is in reply to a Final Rejection dated August 19, 2008.

Amendments to the Claims are reflected in the listing of the claims which begins on page 4. Claims 15-19 and 32 are amended to recite a lower limit of 0.1% for component (a). A terminal period and the word "and" have been added to claim 32. Claims 33 and 34 are replaced by 35 and 36, wherein amount of component (a) is 0.1% and punctuation marks have been added.

REMARKS

The objection to claims 32-34 is mooted by the amendment.

Claims 32-34 are rejected under 35 USC 112 for failure to comply with the written description and enablement requirements, and for being indefinite. The rejections are mooted by the amendment.

Claims 15-23 and 23-30 are rejected under 35 USC 112 for failure to comply with the enablement requirement. The rejection is mooted by the amendment.